

PROBATE CALENDAR NOTES

May 22, 2020

8:30 a.m., Department 40

Placer County Superior Court

All current local court COVID-19 information is at <http://www.placer.courts.ca.gov/general-covid-19.shtml>. In particular, please note:

Local Rule 10.28, "Remote Appearances—COVID-19 State of Emergency Temporary Rule," enacted April 6, 2020, requires remote telephone appearances for most court hearings. See Local Rule 10.28 for more details.

Local Rule 10.27, "eDelivery," requires electronic filing of documents by attorneys and represented parties.

These calendar notes are provided pursuant to Local Rule 80.1.4 for the probate calendar set for hearing **May 22, 2020, 8:30 a.m., in Department 40**, Commissioner Michael A. Jacques, presiding. Pursuant to Local Rule 80.1.4, these calendar notes are **not** a tentative ruling on the merits of any matter before the court.


Updated notes may be posted at any time. Notes will generally be updated the court day prior to the hearing. Staff may respond to limited questions concerning calendar notes; however, court staff may not give legal advice to parties or attorneys. Messages may be left for the Office of Legal Research at (916) 408-6119.

1. S-PR-0001132 Porter, Harry C. - In Re the Estate Of

Ninth testamentary trust account is recommended for approval as prayed.

2. S-PR-0002760 Helwig, Edwin A. - In Re the Estate Of

Appearance is required for continued status hearing, continued petition to remove executor, and continued 4th account.

 As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

3. S-PR-0009147 Dean, David Gregory- In Re the Estate of

Missing account in form and format required by Prob.C. § 1060 et seq., or waivers of account. Revised schedules are not sufficient under Prob.C. § 1060 et seq.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

4. S-PR-0009346 Kelley, Marjorie Evelyn-In Re the Estate of

Petition for final distribution is recommended for approval as prayed.

5. S-PR-0009414 Jergenson, Dennis-In Re Estate of

Petition for final distribution as supplemented is recommended for approval as prayed.

6. S-PR-0009861 McCoig, Gary W. - In re the Estate of

Clarification is needed: the petition alleges the Bank of America claim was approved but does not show payment or satisfaction of the claim and does not allege when the claim will be paid.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

7. S-PR-0009991 William O & Patricia A White Fam Trust; In re the

Missing sufficient notice of hearing: use of mandatory form DE-115 is required; and notice filed January 31 omits information required by Prob.C. § 851(c)(1) with respect to personal property identified in the petition.

It is recommended the petition be granted with respect to the Simeon Drive property and otherwise denied. The petition includes no evidence of inter vivos funding (or attempted inter vivos funding) to the trust of the other properties identified in the petition. Note: this recommendation is not a tentative ruling by the court on the merits of the petition. Local Rule 80.1.4.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

8. S-PR-0010033 Torjesen Irrev Trust; In re the

Appearance is required for hearing on amended petition to determine invalidity of 2013 and 2015 trusts.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

9. S-PR-0010073 E George & Betty Biechner Fam 1993 Rev Trust; In re the

Petition to determine trust property is recommended for approval as prayed.

10. S-PR-0010116 Christensen, Craig G. - In re the Estate of

Missing notice of hearing on petition to administer estate. Missing service of notice of hearing. Missing proof of publication of notice of hearing.

Note: missing signed duties form (DE-147) by proposed administrator. The clerk cannot issue letters until duties form is filed. C.R.C. 7.150.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

11. S-PR-0010120 Primrose, Yvonne Marie - In re the Estate of

Petition to administer estate is recommended for approval as prayed.

12. S-PR-0010122 Angela F. Dunakin Trust - In re the

Missing sufficient notice. Notice filed February 11 and served February 5 omits information required by Prob.C. § 851(c)(1) & (c)(3). Missing use of mandatory form DE-115. New notice and service are required.

It is recommended the petition to determine trust property be denied. *Ukkestad v. RBS finance Inc.* (2015) 235 Cal.App.4th 156 did not consider whether and does not appear to hold that an all-real-property writing satisfies the statute of frauds as to after-acquired property where title was taken contrary to the trust long after the funding writing was executed. Note: this recommendation is not a tentative ruling by the court on the merits of the petition. Local Rule 80.1.4.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

13. S-PR-0010123 DeGennaro, Gary R. ; In re the Estate of

Petition to administer estate is recommended for approval as prayed.

14. S-PR-0010204 Whitehead, Elizabeth Peckham - In Re Estate of

Missing original will, Prob.C. § 8200(a).

Note: missing signed duties form (DE-147). Clerk cannot issue letters until signed duties form is filed, C.R.C. 7.150.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

15. S-PR-0010309 Mireles, Edward J. - In Re the Estate of

Additional information needed: information concerning need for immediate orders and beneficiaries of decedent's inter vivos trust is needed, as set forth in the court's May 13 order.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.